

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROCKLAND VENDING CORP.,

Plaintiff,

-against-

ROXANNE CREEN, sued in her individual capacity,
MARSHA F. RILEY, sued in her individual capacity,
STEWART KIDDER, sued in his individual capacity,

Defendants.

**AFFIRMATION OF
MARTHA A. DENARDO IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

07 CV 6268 (WP)(MDF)

MARTHA A. DENARDO affirms as follows:

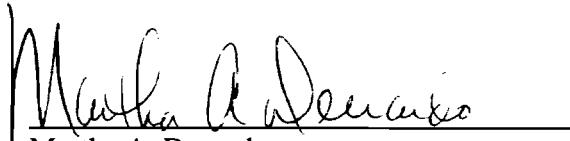
1. I am employed by the New York State Department of Correctional Services (“DOCS”) as the Institutional Steward for Eastern Correctional Facility, and have held this position for approximately 4 ½ years. I make this affirmation on personal knowledge except where expressly stated otherwise.

2. I am familiar with the contract that Rockland Vending Corporation had with my facility, and as Steward, one of my responsibilities is to administer the vending machine contracts with the facility. I made the decision not to extend Rockland’s contract for an additional year in June, 2007.

3. Neither Stewart Kidder, Nan Ferri, nor anyone in DOCS Support Operations ever told me not to renew Eastern’s contract with Rockland Vending Corporation or pushed me one way or another in this regard. Indeed, to the best of my recollection, except for responding to institutional surveys I have never spoken to or corresponded with Stewart Kidder regarding vending contracts or Rockland Vending Corporation.

4. I recall speaking to Mr. Freed on the telephone shortly after the vending contract for Eastern was listed for bid in the contract reporter. I do not recall specifically telling him that I had been "forced by Albany" to put the contract up for bid, but any such statement would have referred to the fact that I believed at that time that the State Comptroller's Office in Albany would have been very unlikely to approve the renewal.

I affirm under penalty of perjury that the foregoing is true and correct. Executed on April 4, 2008.



Martha A. Denardo